

Practitioner's Docket No. 0136.00

**PATENT****COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

Receptacle for an Aerosolizable Pharmaceutical Formulation

**SPECIFICATION IDENTIFICATION**

The specification was filed on December 5, 2003, as Serial No. 10/729,832.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**      **FILING DATE**

60/437,254      December 31, 2002

**SEND CORRESPONDENCE TO**

Guy V. Tucker  
150 Industrial Road  
  
San Carlos, CA 94070  
21968

**DIRECT TELEPHONE CALLS TO:**

Guy V. Tucker  
650-620-5501

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

William W. Alston  
Inventor's signature \_\_\_\_\_  
Date 7 Jan 04  
Residence San Jose, CA  
Post Office Address 2336 Westmoreland Drive, San Jose, CA 95124

  
Country of Citizenship USA

Marc S. Gordon  
Inventor's signature \_\_\_\_\_  
Date \_\_\_\_\_  
Residence Sunnyvale, CA  
Post Office Address 1474 Samedra Street, Sunnyvale, CA 94087

Country of Citizenship USA

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William W. Alston

Inventor's signature

Date \_\_\_\_\_

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Residence San Jose, CA

Post Office Address 2336 Westmoreland Drive, San Jose, CA 95124

Marc S. Gordon

Inventor's signature

Date 1/10/04

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